

Appl. No. 09/744,536

Reply to Office Action of March 15, 2004

REMARKS

Claims 11-25 are pending in this application. Claim 11, 17, 19 and 20 were amended to address the Examiner's objections and to clarify the claim language. Accordingly, it is requested that the objections be withdrawn. No new matter has been added as a result of the amendments.

Claims 11 and 16-21 of the present application were rejected by the Examiner under 35 U.S.C. § 102(e) as being anticipated by *Oura* (US Patent No. 5,991,614). Claims 12-13 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Oura* (US Patent No. 5,991,614) and further in view of *Alperovich* (US Patent No. 6,233,448). Claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Oura* (US Patent No. 5,991,614) in view of *Alperovich* (US Patent No. 6,233,448) and further in view of *Takemura* (EP 0830046). Claim 15 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Oura* (US Patent No. 5,991,614) in view of *Alperovich* (US Patent No. 6,233,448) and further in view of *Takemura* (EP 0830046) and further in view of *Davis et al.* (US Patent No. 6,314,519) Applicant traverses these rejections. Favorable reconsideration is respectfully requested.

Specifically, the cited art, alone or in combination, does not teach the feature of a "locally emitting transmitter . . . being part of a pico-cell mobile radio network separate from the public cellular mobile radio network", wherein the locally emitting transmitter activates/deactivates mobile stations as recited in claim 11, and similarly recited in claims 17 and 19. *Oura* describes two embodiments (FIG. 1, 4) for automatically inhibiting use of a mobile station in a protected area. Under one embodiment, the power supply of a mobile station is turned off by a control signal transmitted from the public mobile network (col. 3, lines 12-38). However, if the power supply of the mobile station is switched off, *Oura* does not provide for any means for turning the mobile station on again with the control signal (see, e.g. col. 3, lines 29-31, 45-47). Furthermore, *Oura* is silent regarding circumstances when the mobile terminal is logged off the public mobile network.

Furthermore, *Oura* explicitly teaches that the transmitter is transmitting on the same frequency as the public mobile network (col. 3, lines 12-14; col. 4, lines 16-19). Accordingly, the transmitter is operating as an additional base station in the public network. In contrast, the presently claimed invention employs a pico cell mobile network base to log on/off the mobile station. Also, *Oura* discloses in the second embodiment a transmission inhibit circuit for

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inhibiting all transmission function and only allows receipt functions (col. 4, lines 57-col. 5, line 10). Again, *Oura* is wholly silent on the log off function for the mobile unit.

Finally, the remaining cited prior art does not cure the deficiencies of *Oura*, as they do not disclose activation and deactivation control of a mobile station belonging to a public mobile network by a second pico cell mobile network. Also, there is no teaching or suggestion to combine the references in the manner proposed by the Examiner. Since *Oura* does not provide a means for turning the mobile station on again with the control signal, how would one of ordinary skill in the art be motivated to use the position/location activation disclosure taught in *Alperovich*? Since the power supply circuit in *Oura* is switched off, there is no means for re-activating the phone without manual user intervention (col. 2, lines 63-65; col. 4, lines 52-56). Also, since *Oura* teaches that the mobile unit performs position registration calls (col. 3, lines 57-64), there is no reason to rely on the position/location activation disclosure taught in *Alperovich*.

In light of the above, Applicant respectfully submits that claims 11, 17 and 19 of the present application, and all claims that depend therefrom, are both novel and non-obvious over the art of record. Accordingly, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

If any fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket number (0112740-0644) on the account statement.

Respectfully submitted,

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